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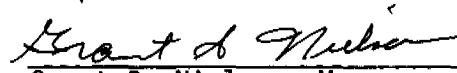
There was discussion of some of the accounts payable, after which Council Member Craig Greathouse MOVED to approve the accounts payable as listed. The motion was SECONDED by Council Member Neil Dutson. The motion carried unanimously.

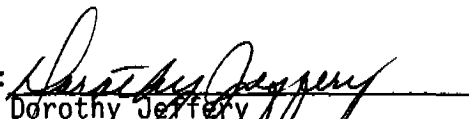
The next two items on the agenda, "Discussion of animal control contract and discussion of proposed contract for solid waste," were to be presented by Mr. Dennis Westwood. Mayor Nielson explained that Mr. Westwood was unable to attend the meeting and the items would be placed on an agenda at a later date.

UTAH POWER AND LIGHT REQUEST FOR EASEMENT AT AIRPORT

City Attorney Peterson explained that Utah Power and Light had requested easement to run power lines over a portion of the City Airport to the pump station for the new golf course. Attorney Peterson explained he had not had a chance to review the documents and until such time as he has reviewed them, he would request that the Council take no action. Council Member Neil Dutson MOVED to table the request by Utah Power and Light for an easement to run power lines to the new golf course, to allow time for review of the documents prior to Council action. The motion was SECONDED by Council Member Ruth Hansen and carried unanimously.

Mayor Nielson then asked if there were any other items to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn the meeting. The motion was SECONDED by Council Member Craig Greathouse and carried unanimously. The meeting adjourned at 9:45 p.m.


Grant S. Nielson, Mayor

Attest: 
Dorothy Jeffery
Delta City Recorder

REGULAR CITY COUNCIL MEETING

JULY 9, 1984

PRESENT

Grant S. Nielson
Craig Greathouse
Ruth Hansen
Don Dafoe
Kjell Jenkins
Neil Dutson

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

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ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
Ray Valdez	City Building Inspector
John Quick	City Engineer
Alan Burraston	County Resident
Bryce Ashby	City Fire Chief
Leah Kauwe	City Resident
Gayle Bunker	City Resident
Jim Fletcher	KNAK Radio
Robert & Lynn Jeffery	City Residents
Corinne Murray	City Resident
Nancy Oppenheimer	City Resident

Mayor Nielson called the meeting to order at 7:00 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the notice and agenda two days prior to the meeting.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery asked if there were any questions regarding the current Accounts Payable, a list of which had previously been delivered to the Council members.

The Council discussed need for better audit control of the animal control officer's monthly bill, after which Council Member Craig Greathouse MOVED to approve payment of the bills as listed, including the animal control officer bill for May in the amount of \$393, and for the month of June in the amount of \$409.50. The motion was SECONDED by Council Member Don Dafoe. Mayor Nielson asked if there were any further questions on the accounts payable. There being none, he called for a vote. The motion carried unanimously.

DENNIS WESTWOOD: DISCUSSION OF ANIMAL CONTROL CONTRACT

The Council asked Mr. Westwood to explain the procedures followed when an animal is impounded. Mr. Westwood said he makes a report to the City on each and every action involving impounded animals. A record is kept of what type of animal is picked up, where it is picked up, how many days the dog is kept and whether the animal is claimed or whether it must be disposed of. At the end of each month, he said, the daily report is given to the City and a monthly billing is presented for Council's approval of payment.

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Mayor Nielson stated Mr. Westwood is paid \$300 per month as animal control officer, plus an impound fee on each animal picked up, \$.50 per day to feed the animal and an additional \$5.00 fee if the dog has to be disposed of. The Mayor then asked Mr. Westwood what the \$300 covered when all of the above mentioned items are paid for in addition to the \$300 monthly wage. Mr. Westwood explained that the \$300 is for being responsible to respond to any calls regarding problems with animals at all times and to maintain his kennels in order to have a place to keep the impounded animals. Also, he said he tries to keep peace among neighbors regarding animal problems.

The Council then asked Mr. Westwood how he disposes of the animals. Mr. Westwood responded that at the present time he takes the animals to the veterinarian, Dr. Nielson. Mr. Westwood further stated he has recently been certified to use lethal injections. He said the City has to apply to the Food and Drug Administration for a drug license, however, before the drugs can be purchased.

Mr. Westwood requested that a new resolution be prepared to increase the impound fee from \$5.00 to \$10.00 and the kennel fee from \$.50 per day to \$2.00 per day. There was discussion regarding giving Mr. Westwood the authority to issue citations. The Council members concurred that this procedure was not acceptable. If an issue arises where it is necessary to issue a citation, Mr. Westwood was instructed to inform the Delta City Police Department and request that a police officer issue the citation.

Following further discussion of the issue, Council Member Neil Dutson MOVED to instruct Attorney Peterson to prepare a resolution to increase the impound fee from \$5.00 to \$10.00, and the daily kennel fee from \$.50 per day to \$2.00 per day. This resolution is to be presented at the next City Council Meeting for the Council's review and consideration for adoption. The motion was SECONDED by Council Member Don Dafoe. The Mayor asked if there was any further discussion regarding the motion. There being none, he called for a vote. The motion carried unanimously.

DENNIS WESTWOOD: DISCUSSION OF PROPOSED CONTRACT FOR SOLID WASTE

Mr. Westwood explained to the Council that he was not prepared to present this item to the Council and asked that it be tabled until further notice.

GAYLE BUNKER: SCHEDULE A PUBLIC HEARING DATE FOR A ZONE CHANGE FOR THE GAYLE BUNKER PROPERTY LOCATED AT 500 NORTH AND 350 EAST

Mayor Nielson reviewed with the Council the following recommendation received from Planning and Zoning regarding the Gayle Bunker request for zone change.

By a majority vote, with Gayle Bunker abstaining from voting, at the Planning and Zoning Meeting held Thursday, July 5, 1984, the Planning and Zoning Commission recommended that Delta City Council hold a Public Hearing for the purpose of receiving comment on the petition from Gayle Bunker to change the zone from

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rural residential to residential 1-B for the property designated as Exhibit A. The Commission gives this recommendation a positive recommendation.

Mr. Bunker presented each Council member with a map of his proposed Nor Del Subdivision located north of 400 North Street and east of 350 East Street. After the Council had reviewed the map with Mr. Bunker, Council Member Don Dafoe MOVED that a public hearing be scheduled for July 30 at 6:30 p.m. for the purpose of receiving public comment regarding the zone change requested by Gayle Bunker. The motion was SECONDED by Council Member Neil Dutson. Mayor asked if there were any further comments. There being none, he called for a vote. The motion carried unanimously.

ROBERT JEFFERY: SCHEDULE A PUBLIC HEARING DATE FOR A ZONE CHANGE FOR THE MITCH MYERS/ROBERT JEFFERY PROPERTY LOCATED AT LOCUST AVENUE AND MANZANITA AVENUE IN THE WHITE SAGE ANNEXATION

Mayor Nielson explained to the Council he had received the following recommendation from Planning and Zoning:

By a unanimous vote of the Planning and Zoning meeting held Thursday, July 5, 1984, the Planning and Zoning Commission recommended that the Delta City Council hold a Public Hearing for the purpose of receiving comment on the petition from Mitchell Myers and Robert Jeffery to change the zone from mobile home to residential 1-B for the property designated at Exhibit B. The Commission gives this recommendation a positive recommendation.

Following a brief discussion of the requested zone change, Council Member Craig Greathouse MOVED that a public hearing be scheduled for July 30 at 6:40 p.m. for the purpose of receiving public input regarding the zone change requested by Mitch Myers and Robert Jeffery for their property located at Locust Avenue and Manzanita Avenue in the White Sage Area. The motion was SECONDED by Council Member Don Dafoe. The Mayor asked if there was any further discussion on the motion. There being none, he asked for a vote. The motion carried unanimously.

SCHEDULE PUBLIC HEARING DATE FOR ZONE CHANGE FOR DELTA ESTATES FROM RR TO R-1-A

Mayor Nielson read the following recommendation from Planning and Zoning to the Council:

By a majority vote with Roland Dutson opposing, the Planning and Zoning Meeting held Thursday, July 5, 1984, the Planning and Zoning Commission recommended that Delta City Council hold a public hearing for the purpose of receiving comment on the request initiated by Delta City to change the zone for Delta Estates, legal description to be provided by Delta City, from rural residential to residential 1-B. It shall be noted that

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the Planning and Zoning Commission makes no recommendation for the affirmative or negative of this matter.

Attorney Peterson asked for an explanation of the procedure followed regarding the request to change the zone at Delta Estates. Following further discussion and upon a recommendation from Attorney Peterson, Council Member Craig Greathouse MOVED that the Planning and Zoning recommendation not be adopted, but the City Council initiate the zone change from Rural Residential (RR) to Mobile Home (MH) for the Delta Estates subdivision and a public hearing be scheduled for July 30 at 6:50 p.m. for the purpose of receiving public comment regarding the proposed zone change. The motion was then SECONDED by Council Member Don Dafoe. Mayor Nielson asked if there were any further comments or questions regarding the zone change. There being none, he asked for a vote on the motion. The motion carried unanimously.

PROPOSED RESOLUTION FOR INCREASED RATES FOR WATER AND SEWER USER FEES

Attorney Peterson reviewed with the Council the proposed resolution increasing water and sewer fees. Attorney Peterson explained that the resolution was prepared at the direction of the City Council and that City Public Works Superintendent Neil Forster had helped prepare the resolution. He explained the justification for changing the rate for water on multiple dwellings, mobile home parks, and similar users to correspond to single dwellings. It was determined that the \$9.00 figure is a fair charge for the multiple dwelling using a master water meter, after the increased cost of computing charges for a master meter is offset against the decreased cost of meter reading and postage.

Council Member Don Dafoe MOVED to adopt the resolution entitled:

A RESOLUTION ESTABLISHING FEES FOR CONNECTION TO THE DELTA CITY WATER AND SEWER SYSTEMS, REVISING THE MONTHLY SERVICE CHARGES FOR USE OF SAID SYSTEMS AND ESTABLISHING PROCEDURES FOR ADMINISTRATION OF FEE COLLECTIONS AND PROVIDING FOR OTHER ADMINISTRATIVE AUTHORIZATIONS

modifying monthly fees for water and sewer use. The motion was SECONDED by Council Member Ruth Hansen. Mayor Nielson then called for a roll call vote. The voting was as follows:

Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Ruth Hansen	Yes
Council Member Kjell Jenkins	Yes
Council Member Craig Greathouse	Yes

The Mayor then signed the resolution, which was attested by City Recorder Dorothy Jeffery.

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PURCHASE OF A FIRE CHIEF VEHICLE

Fire Chief Bryce Ashby explained that a 4X4 unit to transport fire fighters and fire fighting equipment to the fire scenes had been included in the budget, and would cost approximately \$13,300 when fully equipped. He further explained some of the automobile dealers were hesitant to give an actual price quote at this time because it is the time of the year the 1984 models are about to the end and the 1985 models are not quite ready for delivery.

Following further discussion of the vehicle, Fire Chief Ashby asked for the Council's approval to prepare the specifications for the unit and put it out for bid. Council Member Craig Greathouse MOVED to authorize the Fire Chief to prepare the vehicle specifications for a 1985 "Suburban" type 4X4 vehicle for the use of the fire department and to advertise it for bid. The motion was SECONDED by Council Member Don Dafoe and carried unanimously.

EASEMENT BETWEEN DELTA CITY AND MELVILLE IRRIGATION COMPANY FOR TWO (2) FOOT BRIDGES

Attorney Peterson explained the proposed easement agreement he had prepared for two (2) pedestrian bridges are to cross the Melville Irrigation Company at 6th East and 5th North and 600 East Main Street. The cost of these bridges will be funded by Intermountain Power Agency. However, once the bridges are built, they will be dedicated to the City to maintain thereafter. The price Melville Irrigation Company has requested for the easements for these bridges is that the City maintain the bridges and be responsible for any injury or accident that may occur because of the bridges being there.

Council Member Craig Greathouse asked if the bridges will have a fence on them to protect the children from falling into the canal. Attorney Peterson said the design drawings show a 6-foot chain link fence all along the bridges and a 5-foot wide wing fence at the entrance to the bridge, which will also be constructed of 6-foot chain link fence.

It was the opinion of the Council the wing fence should be longer than 5 feet. The suggested length of the wing fence is 20 feet. Mayor Nielson asked City Engineer John Quick if he would work with IPA regarding the length of the wing fence. Mr. Quick said he would.

Following further discussion of the issue, Council Member Ruth Hansen MOVED that the City Council approve the easement agreement for the two canal crossings, one at 5th North and 6th East and the other at 600 East Main Street, and that Mayor Nielson be authorized to sign the easement agreement. The motion was SECONDED by Council Member Kjell Jenkins. The Mayor asked if there was any further discussion of the issue. There being none, he called for a vote on the motion. The motion carried unanimously.

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CONTRACT BETWEEN DELTA CITY AIRPORT AND DEL AERO SERVICE

Mayor Nielson explained he has been approached by persons that use the airport frequently complaining about the services offered at the airport and the hours that services are available. He then recognized Alan Burraston and asked him to explain to the Council the status of both the services offered and hours offered by Del Aero at the airport.

Mr. Burraston first explained to the Council that there is a decline in the number of persons flying recently, and he feels it is because of the cost of general aviation. He also explained that 30% to 40% of the gas used at the airport is used by the Del Aero service. Last year there were 39,000 gallons of gas purchased at the airport, and of that figure, 18,000 gallons was used by Del Aero service.

Mayor Nielson stated that he feels there should be some increased services and suggested the possibility that Delta City Police Officers assist the Burrastons by being issued a key to the gas pumps at the airport so they could sell gas 24 hours per day. The police officers would be available whenever the Burrastons were not. Mr. Burraston stated that it would be no problem to see that the restrooms were left open 24 hours a day. Mr. Burraston further stated that the hours the services are available are published in all of the flight magazines and his phone number is posted in the telephone booth that is located at the airport.

There was discussion regarding having jet fuel available at the airport, but the Council concurred that the cost and liability of having jet fuel at the airport made it prohibitive to offer this service for the low volume of fuel that would be sold.

There was further discussion regarding the services at the airport. No Council action taken on this issue.

POLICIES AND PROCEDURE FOR DELTA CITY PURCHASES

City Manager Jim Allan presented each Council Member with a copy of a draft "Policy and Procedures for Purchasing for Delta City", and requested that they review the draft during the week. He stated he would have it placed on the agenda for the next regular City Council meeting for Council's review and consideration for adoption.

KEYS FOR THE DELTA CITY MUNICIPAL BUILDING

Council Member Craig Greathouse voiced his concern with the key system in the Delta City Building, stating it takes one key to get into the front door, one key to get into the Council chambers, and yet another key to the computer room. He then asked if this type of security was really necessary. City Manager Jim Allan explained because of the plans to store the City records on the computer, he felt it necessary to control access to that room. Council Member Don Dafoe said the photo copier is also in that room and asked how to access the photo copy machine during hours that the City offices are closed. City Manager Allan responded that the computer room is

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always open during office hours and he felt the information on the computer was more important than making copies after hours.

Following further discussion of the issue, it was the opinion of the Council that Council Members Greathouse and Dafoe and City Manager Jim Allan should study the security issue and work this problem out.

RESIDENCY FOR DEPARTMENT HEADS

Council Member Craig Greathouse MOVED the Council go into closed session for the purpose of discussing residency for Delta City department heads. Motion died for lack of a SECOND.

Mayor Nielson stated that there are three department heads at the present time that do not live within the Delta City area, and further stated he felt that all department heads should be required to live within the City limits.

Building Inspector Valdez explained to the Council that he had been living in Delta 5 days a week for 3½ years, and that he had been told by Mayor Roper during his term of office that he did not have to move his family to Delta as long as he was in the area from 8:00 Monday morning until 5:00 Friday night. He has made arrangements to stay in Delta during those five days.

Mayor Nielson asked about the residency status of the Police Chief and was told that Chief Cooper had just recently moved his family back to Delta and was now living within the City limits. He had moved his family from Delta due to unavailability of housing after his lease was terminated by his previous landlord moving back into Cooper's rented home.

Council Member Kjell Jenkins asked City Manager Jim Allan what his plans were as far as his residency and the possibility of his moving his family to Delta. Mr. Allan stated his son will be a junior in high school this year and was involved in many of the school activities. He felt the option of where he attends school would be left up to his son.

Council Member Jenkins then asked Mr. Allan if he maintains a residence in Delta or rents an apartment. Mr. Allan responded he was not renting an apartment at this time. He further stated when he first accepted the job in Delta he tried to find an apartment, only to find the cost of the apartment was extremely high. He also checked out the possibility of purchasing a home. With the interest rate of 14%, the cheapest he could get into a home was approximately \$600 per month. Another problem he has is his wife has a very good job in Salt Lake City. In checking on the possibilities of employment for her, he had found there were no job openings in her field with comparable pay. A fourth problem is the sale of his home in Provo. Homes are simply not selling in Utah County at this time at reasonable prices, he said. He didn't feel he could afford to pay \$600 a month for a home down here and also maintain his home in Provo.

Council Member Jenkins then discussed with the Council the possibility that the City was placing restrictions on the City Manager that were

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unreasonable, and asked if anyone knew what some of the other towns required of City Managers. Mr. Allan responded that there are other cities in Utah that do not require the manager to live in the City limits. Attorney Peterson stated he knows of cities in Utah that do not require residency, including Orem and Provo. Ray Valdez commented that Park City does not have a residency requirement for any of their employees.

Council Member Craig Greathouse questioned the type of commitment the City is prepared to offer Mr. Allan. For example, the position of City Manager is now being funded by Intermountain Power Agency (IPA) and will be funded for approximately two (2) more years. Mr. Greathouse asked what will happen after the IPA funding has been deleted. Will the City be in a position to continue funding the Manager's position, he asked. Mayor Nielson stated it was not possible for the Council to give Mr. Allan a commitment at this time as to how long he will be able to be employed by Delta City.

Council Member Dutson suggested that copies of the present residency ordinance be given to the Council to review and study prior to the next Council meeting, and then place the topic on the agenda for further discussion in two weeks. The Council agreed.

OTHER BUSINESS

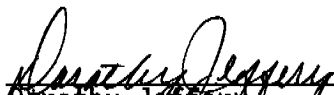
The following items were requested to be on the next regular City Council meeting agenda:

1. Policies and procedures for the purchasing manual.
2. Dennis Westwood: Solid waste proposal.
3. Resolution regarding animal control officer.
4. Acceptance of the sewer lagoon project.
5. Vacation of Nor Del Subdivision streets.
6. Insurance for the IBM computer.

Mayor Nielson then asked if there were any further items for discussion. There being none, Council Member Neil Dutson MOVED the meeting be adjourned. The motion was SECONDED by Council Member Craig Greathouse and approved unanimously. The meeting adjourned at 11:15 p.m.


Grant S. Nielson, Mayor

Attest:


Dorothy Jeffery
City Recorder